

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

CARLOS VIZCAINO,

Defendant.

NY	
MENT	
ELECTRONICALLY FILED	
DOC #	
DATE	1/9/06

ORDER

S1 05 Cr. 470 (KMK)

The Court having received a motion from the Government dated December 21, 2005; and the Court having been informed (1) that the defendant has been placed in a three-week medical quarantine at the federal facility in which he is incarcerated; (2) that defense counsel is not available for the Court's suggested conference date of January 13, 2005; and (3) that defendant has no objection to the Government's motion; and the Court having found that the granting of the exclusion and continuance set forth herein best serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial, pursuant to 18 U.S.C. §3161(h)(8)(A); it is hereby

ORDERED that time be and hereby is excluded from the date of this Order until January 20, 2005.

Dated: New York, New York
December 4, 2005


KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

December 21, 2005

BY HAND

The Honorable Kenneth M. Karas
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Carlos Vizcaino, 05 Cr. 470 (KMK)

Dear Judge Karas:

The Government respectfully submits a proposed order requesting that time be excluded in this case under the Speedy Trial Act until January 20, 2005. As the Court was informed at the last conference date, at which time the defendant was scheduled to plead guilty, the defendant has been placed in a three-week medical quarantine. Although the Court suggested a plea date of January 13, 2005, defense counsel is not available until January 20, 2005.

To ensure the defendant's presence in his court, as well as continuity of counsel, the Government respectfully requests an exclusion of time, pursuant to Title 18, United States Code, Section 3161(h)(8)(A). Defense counsel consents to this request.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: *Benjamin Gruenstein*
Benjamin Gruenstein
Assistant U.S. Attorney
(212) 637-2315

encl.

cc (by fax): Ed Wilford, Esq.